

---

By: **Senator DeGrange**  
Introduced and read first time: February 6, 2004  
Assigned to: Finance

---

Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 15, 2004

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Task Force to Study Governance of Baltimore-Washington International**  
3                                   **(BWI) Airport**

4 FOR the purpose of establishing the Task Force to Study the Governance of  
5 Baltimore-Washington International (BWI) Airport; providing for the  
6 membership and staffing of the Task Force; requiring the Task Force to study  
7 certain issues related to BWI Airport governance and report to the Governor and  
8 the General Assembly on or before a certain date; requiring the Task Force to  
9 make recommendations with regard to governance at BWI Airport; prohibiting  
10 members of the Task Force from receiving certain compensation but authorizing  
11 the reimbursement of certain expenses; providing for the termination of this Act;  
12 and generally relating to a Task Force to Study the Governance of BWI Airport.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That:

15       (a)       There is a Task Force to Study the Governance of Baltimore-Washington  
16 International (BWI) Airport.

17       (b)       The Task Force consists of the following ~~13~~ 14 members:

18               (1)       two members of the Senate, appointed by the President of the Senate;

19               (2)       two members of the House of Delegates, appointed by the Speaker of  
20 the House of Delegates;

21               (3)       one member elected from and by the membership of the Maryland  
22 Aviation Commission, who has served for a minimum of 5 years on the Commission,

1 to be jointly appointed by the President of the Senate and the Speaker of the House of  
2 Delegates;

3 (4) two members representing the counties that are located in the  
4 current BWI Airport Noise Zone, to be jointly appointed by the President of the  
5 Senate and the Speaker of the House of Delegates, and the appointments shall be  
6 from recommendations on a list provided by the respective county executives;

7 (5) two members who are currently employed or were previously  
8 employed by the Maryland Department of Transportation or the Maryland Aviation  
9 Administration who have or had a minimum of 10 years of continuous service in the  
10 Department, one in the area of airport finance and administration and one in the area  
11 of airside and landside operations, to be appointed by the chairman of the Task Force;

12 (6) one representative from an airline operating at BWI Airport as of  
13 June 30, 2004, appointed by the Legislative Policy Committee, in consultation with  
14 the chairman of the Task Force;

15 (7) one representative from national aviation-focused organizations  
16 such as the Airport Council International - North America and the American  
17 Association of Airport Executives, appointed by the Legislative Policy Committee; ~~and~~

18 (8) one representative of individuals employed at BWI Airport, appointed  
19 by the Maryland State and D.C. AFL-CIO;

20 ~~(8)~~ (9) two members of the community with special knowledge,  
21 experience, and expertise related to the BWI Airport or other commercial airports,  
22 jointly appointed by the President of the Senate and the Speaker of the House of  
23 Delegates.

24 (c) The Secretary of Transportation may serve as an ex-officio member of the  
25 Task Force.

26 (d) The Task Force may request the assistance and advice of:

27 (1) the Comptroller for the State of Maryland or the Comptroller's  
28 designee; and

29 (2) the Treasurer of the State of Maryland.

30 (e) The President of the Senate and the Speaker of the House of Delegates  
31 shall jointly appoint a chairman and a vice chairman from the legislative membership  
32 of the Task Force.

33 (f) The Department of Legislative Services shall provide staff for the Task  
34 Force.

35 (g) The Maryland Department of Transportation shall provide all necessary  
36 funding for the Task Force. In addition, the Maryland Department of Transportation

1 shall provide information as required and requested by the chairman of the Task  
2 Force.

3 (h) A member of the Task Force:

4 (1) shall serve without compensation; but

5 (2) is entitled to reimbursement for expenses under the Standard State  
6 Travel Regulations, as provided in the State budget.

7 (i) (1) The Task Force shall review and study:

8 (i) the governance structures of other large commercial airports  
9 including ownership and management, concessions contracting, master lease  
10 agreements between the airport and the airlines, and security issues;

11 (ii) the financial structure of other large commercial airports;

12 (iii) financial information covering BWI Airport operating and  
13 capital budgets from the past 10 years;

14 (iv) passenger, cargo volume, and aircraft operation trends at BWI  
15 Airport for the past 10 years;

16 (v) financial forecasts including operating and capital development  
17 plans for BWI Airport covering at least the next 5 years, including alternative  
18 financial mechanisms that are in use today by other publicly owned large commercial  
19 airports;

20 (vi) passenger, cargo, and aircraft operations forecasts at BWI  
21 Airport for at least the next 5 years and the ability of BWI Airport infrastructure to  
22 meet that demand;

23 (vii) staffing information for State employees at BWI Airport; and

24 (viii) industry benchmark data including revenue per enplaned  
25 passenger, cost per enplaned passenger, and tenant (airline and concessions)  
26 contributions to the BWI Airport finance model in comparison to other commercial  
27 airports.

28 (2) For purposes of this subsection, the Task Force shall consider as a  
29 "large commercial airport" any airport operating in the United States that serves  
30 more than 1,000,000 passengers enplaned per year.

31 (j) The Task Force may:

32 (1) request the assistance of the Federal Aviation Administration;

33 (2) require the Maryland Department of Transportation to supply copies  
34 of all previous governance studies of BWI Airport for review by the Task Force;

1           (3)     require the Maryland Aviation Administration to provide technical  
2 and financial information to include copies of lease agreements between the airport  
3 and various parties, copies of operational contracts, and other data as may be  
4 requested by the Task Force;

5           (4)     consult other airport trade organizations;

6           (5)     consult community associations from areas surrounding BWI  
7 Airport;

8           (6)     conduct site visits to BWI Airport to see operating activities and  
9 capital improvements underway at BWI Airport;

10          (7)     conduct site visits to other airports to view their facilities, planning  
11 process, and governance structures; and

12          (8)     review qualifications statements and proposals from technically  
13 qualified consultants who may be required to provide an independent analysis of the  
14 current BWI Airport governance and recommendations for alternatives for  
15 consideration by the Task Force.

16       (k)     The Task Force shall make recommendations regarding:

17           (1)     an appropriate governance structure for BWI Airport including any  
18 concerns or benefits to changing the current structure; and

19           (2)     regulatory, administrative, or legislative changes needed to allow  
20 BWI Airport to function more efficiently and more like an independent business.

21       (l)     The Task Force shall report its findings and recommendations to the  
22 Governor and, subject to § 2-1246 of the State Government Article, to the General  
23 Assembly on or before December 31, 2004.

24       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 July 1, 2004. It shall remain effective for a period of 2 years and, at the end of June  
26 30, 2006, with no further action required by the General Assembly, this Act shall be  
27 abrogated and of no further force and effect.